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4 4 5

Alaska State Legislature
House of Representatives



INTERIM

3111 C Street
Anchorage, Alaska 99503
(907) 561-2032

SESSION

P.O. Box V
Juneau, Alaska 99811
(907) 465-2995

Representative Dave Choquette

M E M O R A N D U M

DATE: April 7, 1992
TO: Senator ~~Drus~~ Pearce, Chairwoman
Senate Labor & Commerce Committee
FROM: Rep. Dave Choquette *DRUS THANKS!*
RE: CSHB 445 (L&C)am, "An Act relating to an
alcohol server education course."

I respectfully request that you schedule CSHB 445 (L&C)am for a hearing before the Senate Labor & Commerce Committee at your earliest convenience.

As you are well aware, alcohol abuse is a severe problem in Alaska, impacting individuals, families, and communities throughout our State. In fact, Alaska ranks 4th in the nation for per capita alcohol consumption, and has one of the highest rates of fetal alcohol syndrome in the country, with more than 30 infants born each year with alcohol related impairments.

In 1990, there were more than 1600 alcohol related vehicular accidents in Alaska which resulted in more than 40 fatalities. In Anchorage alone there were more than 1,800 DWI arrests in 1991.

Over the interim I worked with Mothers' Against Drunk Driving (MADD), the alcohol industry, the Department of Motor Vehicles, and the A.B.C. Board to help address the alcohol problems our State faces. One of the results of this cooperative effort is HB 445.

Under HB 445, the A.B.C. Board would establish criteria with which to evaluate alcohol server education programs currently available, and then approve a package of alcohol server education courses. This package would include a variety of courses which would ensure accessibility to alcohol servers in both urban and rural Alaska. Various instruction mediums, ranging from classroom instruction to viewing a video cassette followed by written exercises, would likely be utilized depending on the program.

Courses would include such topics as alcohol's affect on the body and behavior, particularly driving ability, drunk driving and civil liability laws, identifying fraudulent IDs, methods of recognizing

SPONSOR PACKET

Sen. Drue Pearce
Senate Labor & Commerce Committee
April 7, 1992
Page 2

the problem drinker, use of community treatment programs, and methods to peacefully terminate service to the problem customer and get him or her home safely, to name a few.

Alcohol servers would have 30 days from the date the A.B.C. Board approves a package to complete a course, and, for new employees, 30 days from the date of hire. Proof of completion of an approved course must be kept on the licensed premises during working hours.

Alcohol server education is already required by ordinance in the Municipality of Anchorage.

CSHB 445 (L&C)am, if enacted, should go a long way towards reducing incidents of drunk driving, and will aid problem drinkers by helping alcohol servers identify and intervene before they endanger themselves and others.

This bill maintains a zero fiscal note, and has the support of the Alaska Cabaret, Hotel, Restaurant & Retailers Association, the Anchorage Restaurant & Beverage Association, Mothers' Against Drunk Driving, the Municipality of Anchorage's Health & Human Services Commission, the Bristol Bay Area Health Corporation, and the A.B.C. Board. I've attached these and other letters of support.

If you have any questions, please contact myself or my staff, Josh Fink, at x2995.

Thank you for your timely consideration of this request.

FISCAL NOTE

STATE OF ALASKA
1992 LEGISLATIVE SESSION

No. 1
Bill Version: CSHB 445(L&C)
(H) Publish Date: 3/2/92

Revision Date: _____ Department Affected: REVENUE
Title: ALCOHOL SERVER EDUCATION COURSE BRU: ALCOHOLIC BEVERAGE CONTROL BOARD
Component: OPERATING
Sponsor: REP. CHOQUETTE
Requestor: HOUSE L & C COMMITTEE COMPONENT SERIAL NO.

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EXPENDITURES/REVENUES: (Thousands of Dollars)

OPERATING	FY 93	FY 94	FY 95	FY 96	FY 97	FY 98
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-	-0-
TRAVEL	-0-	-0-	-0-	-0-	-0-	-0-
CONTRACTUAL	-0-	-0-	-0-	-0-	-0-	-0-
SUPPLIES	-0-	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-	-0-
LAND & STRUCTURES	-0-	-0-	-0-	-0-	-0-	-0-
GRANTS, CLAIMS	-0-	-0-	-0-	-0-	-0-	-0-
MISCELLANEOUS	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL OPERATING	-0-	-0-	-0-	-0-	-0-	-0-

CAPITAL	-0-	-0-	-0-	-0-	-0-	-0-
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REVENUE FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
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FUNDING: (Thousands of Dollars)

GENERAL FUND	-0-	-0-	-0-	-0-	-0-	-0-
FEDERAL FUNDS	-0-	-0-	-0-	-0-	-0-	-0-
OTHER FUND SOURCE:	-0-	-0-	-0-	-0-	-0-	-0-
TOTAL	-0-	-0-	-0-	-0-	-0-	-0-

POSITIONS:

FULL-TIME	-0-	-0-	-0-	-0-	-0-	-0-
PART-TIME	-0-	-0-	-0-	-0-	-0-	-0-
TEMPORARY	-0-	-0-	-0-	-0-	-0-	-0-

Estimate of current year impact: NONE

ANALYSIS: (Attach a separate page if necessary.)

Prepared By: PATRICK L. SHARROCK Phone: 277-8638
Division: ALCOHOLIC BEVERAGE CONTROL BOARD Date: 2-11-92
Approved by Commissioner: _____ Date: 2/12/92
Agency: DEPARTMENT OF REVENUE

Alaska State Legislature
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3111 C Street
Anchorage, Alaska 99503
(907) 561-2032



SESSION

P.O. Box V
Juneau, Alaska 99811
(907) 465-2995

Representative Dabe Choquette

SPONSOR'S STATEMENT FOR HOUSE BILL 445:

"AN ACT RELATING TO AN ALCOHOL SERVER EDUCATION COURSE"

Alcohol abuse is a severe problem in Alaska, impacting individuals, families, and communities throughout our State. In fact, Alaska ranks 4th in the nation for per capita alcohol consumption, and has one of the highest rates of fetal alcohol syndrome in the country, with more than 30 babies each year born with alcohol related impairments.

In 1990, there were more than 1600 alcohol related vehicular accidents which resulted in more than 40 fatalities. 180 of those accidents were caused by alcohol impaired minors which resulted in 6 of those deaths. In Anchorage alone there were more than 1,800 DWI arrests in 1991.

Over the interim I worked with Mothers' Against Drunk Driving (MADD), the alcohol industry, the Department of Motor Vehicles, and the A.B.C. Board to address this problem. The result of this cooperative effort is HB 445.

This legislation would require alcohol servers to take an approved alcohol server education course within 30 days of being hired. This training would include such topics as alcohol's affect on the body and behavior, particularly driving ability, drunk driving and civil liability laws, identifying fraudulent IDs, methods of recognizing the problem drinker, use of community treatment programs, and handling problem customers to cut off service and get them home safely.

The A.B.C. board would establish criteria with which to evaluate education programs currently available, and approve a package of alcohol server education courses. This package would include a variety of approved courses which would ensure accessibility to alcohol servers in both urban and rural Alaska at minimal cost, most likely utilizing instruction mediums varying from the classroom to the viewing of video cassettes followed by written excercises or an exam.

HB 445, if enacted, should go a long way towards reducing incidents of drunk driving, and will aid problem drinkers by helping alcohol servers identify and intervene before they endanger themselves and others.

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House Bill 445

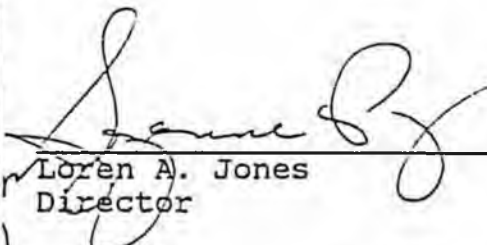
Section 1 amends AS 04.21.025 by requiring each holder of a liquor license and their employees to complete an alcohol server education course approved by the Alcohol Beverage Control Board.

Section 2 requires this training to occur within 30 days of course approval by the Alcohol Beverage Control Board.

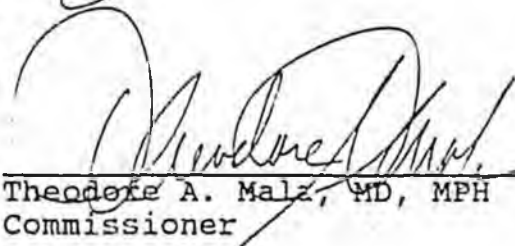
Training of liquor store, bar, and restaurant employees is an excellent approach to broadening the information base regarding the effects of alcohol on a person, and the laws governing the sales of alcoholic beverages. This training is currently mandatory in Anchorage, and would be required throughout the state.

Due to the remoteness of many areas of the state, delivery of these courses may require non-traditional approaches. Interactive video and audio teleconferences are viable options in most locations.

The division, while having no responsibility for the delivery of this training, is supportive of this effort.


Loren A. Jones
Director

2-25-92
Date


Theodore A. Malz, MD, MPH
Commissioner

2-26-92
Date

STATE OF ALASKA

WALTER J. HICKEL, GOVERNOR

DEPARTMENT OF REVENUE

550 W. 7TH AVE
ANCHORAGE, ALASKA 99501-6698

ALCOHOLIC BEVERAGE CONTROL BOARD

February 26, 1992

The Honorable Dave Choquette
Alaska House of Representatives
P. O. Box V
Juneau, AK 99811

RE: HB 445

Dear Representative Choquette:

This letter intends to express the Alcoholic Beverage Control Board's support for HB 445. As you may know, the board is currently informally requested under Municipality of Anchorage ordinance to approve training programs presented within the municipality.

The board believes that server training stimulates employees' and licensees' ability to responsibly serve the public. If this legislation is enacted into law, the board will begin drafting regulations to fulfill its charge.

If you have any questions, please do not hesitate to call.

Sincerely,



Patrick L. Sharrock
Director, ABC Board
(907) 277-8638

PS/cl

92-046



*Alaska Cabaret, Hotel,
Restaurant & Retailers Association*

P.O. Box 100870 • Anchorage, Alaska 99510
401 2nd Street • (907) 277-3133 • Fax: (907) 277-3640

March 5, 1992

Rep. Dave Choquette
Alaska State Legislature
P. O. Box V (MS 3100)
Juneau, AK 99811

Dear Representative Choquette,

At the March 1 quarterly meeting of the CHARR Board of Directors a resolution endorsing and supporting the passage of House Bill 445 was adopted. CHARR has long held the belief that education is the most useful tool in reducing alcohol-related traffic accidents. As evidence of that belief, CHARR was responsible for the introduction of the first nationally recognized server training program in Alaska when we purchased the copyrights to the TAM Program (Techniques of Alcohol Management) in 1984. Since that introduction, over 8,000 persons have been trained in our state.

Although server training has been mandatory in Anchorage since 1986, our TAM program is statewide with participation on a voluntary basis. With certified instructors in Juneau, Fairbanks, and Anchorage, TAM seminars have been conducted in Nome, Sitka, King Salmon, Soldotna, Cordova, and other communities upon request. Just this year, our association hosted the national director of the TAM program who conducted training sessions to recertify our current instructors and to certify new instructors who came to the training from the communities of Kodiak, Haines, and Yakutat. The industry represented by our association has long been committed to server training, demonstrated by the dedication of our time and resources to our Alaska TAM program.

Servers trained in responsible beverage service techniques can only help our businesses and our communities. CHARR endorses this legislation and has asked me to express our appreciation to you for your sponsorship.

Yours truly,

Carol Wilson
Executive Director



401 K Street Anchorage, Alaska P.O. Box 104839 Anchorage, Alaska 99510
(907) 272-8133 Fax: (907) 277-8640

February 13, 1992

Representative Dave Choquette
P. O. Box V (MS 3100)
Juneau, AK 99811

Dear Representative Choquette,

At our General Membership meeting held last night, the Anchorage Restaurant and Beverage Association voted unanimously to endorse and support House Bill 445, the measure you introduced making alcohol server training mandatory in Alaska.

Long before such training was made obligatory in Anchorage by the Municipal Assembly, ARBA working with the statewide trade association CHARR, introduced the Techniques of Alcohol Management (TAM) program on a voluntary basis for the benefit of our members. To date, over 6,000 persons have attended a TAM Seminar here in Alaska.

We firmly believe that education is the most useful tool in reducing alcohol-related accidents. Education, such as provided by the TAM program, can instill the knowledge, confidence and motivation to prevent illegal beverage alcohol problems. Alcohol server training gives servers and sellers a knowledge and understanding of their key role in reducing alcohol-related accidents and provides them with the tools required to reduce such accidents. Well trained employees are essential to any business, and we believe that society, as well as our industry, can only benefit from training responsible beverage service techniques to all servers.

Our Association strongly endorses House Bill 445 and has asked me to express our sincere appreciation to you.

Yours truly,

Carol Wilson
Executive Director

SCOTT & WESLEY GERRISH
MEMORIAL**M A D D**ANCHORAGE, ALASKA
CHAPTERMAILING ADDRESS:
733 West 4th Avenue, Box 821
Anchorage, AK 99501

(907) 258-MADD

BUSINESS ADDRESS
733 West 4th Avenue, Suite 301
Anchorage, AK 99501

February 17, 1992

Representative Choquette
House of Representatives
P.O. Box V
Juneau, Alaska 99811

Re: House Bill 445

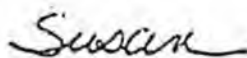
Dear Representative Choquette,

The Anchorage Chapter of MADD is pleased to support HB 445. It is extremely important that all persons involved in selling or serving alcohol have a clear understanding of the following:

1. the effects of alcohol on the body and behavior, particularly driving ability;
2. the effects of alcohol when used in combination with prescription or nonprescription drugs or illegal drugs;
3. methods of recognizing the problem drinker and the use of community treatment programs;
4. laws regarding sale to underage or drunken persons, consumption on and off premises, hours of operation, and penalties for violations of laws relating to alcohol;
5. fetal alcohol syndrome and fetal alcohol effects;
6. drunk driving and civil liability laws;
7. methods of dealing with the problem customer, including ways to cut off service, and means of safely transporting the customer home;
8. advertising and marketing that promote safe and responsible drinking patterns; and
9. valid means of proving the age of the customer.

We understand that this type of information may need to be delivered by some other means than in the traditional classroom setting in many parts of the state. However, there is no reason this information can't be delivered by means of video or even audio tapes with accompanying workbooks. MADD wholeheartedly supports this bill.

Sincerely,



Susan Humphrey-Barnett



Tom Fink,
Mayor

Municipality of Anchorage

Municipal Health & Human Services Commission

825 "L" Street

P.O. Box 196650 • Anchorage, Alaska 99519-6650



Telephone:
(907) 343-4674

February 21, 1992

Representative David Choquette
State Capitol
Juneau, AK 99801-1182

Dear Representative Choquette,

The Municipality of Anchorage Health and Human Services Commission has reviewed HB 445, which would require completion of an alcohol server education course as a condition for issuance or renewal of alcohol beverage licenses. The Commission strongly supports passage of HB 445.

The proposed bill will reinforce the local liquor laws by standardizing the alcohol server education curriculum and strengthening the proof of compliance with this training.

The recent death of two Anchorage women in a motor vehicle crash involving alcohol might have been prevented if liquor store employees were better educated with respect to identifying intoxicated persons who should not be served.

The Commission is deeply concerned about the destructive effect of alcohol on our community. If we can provide further support for this bill, please call our staff, Michael Huelsman, at 343-6718.

Sincerely,

Richard Towell, Chair
Municipal Health and Human Services Commission

cc: Helen D. Beirne, Ph.D., Director
Municipality of Anchorage
Department of Health and Human Services

BRISTOL BAY AREA HEALTH CORPORATION

P.O. BOX 130 • DILLINGHAM, ALASKA 99576

(907) 842-5201 or (907) 842-5202

February 19, 1992

Representative Dave Choquette
P.O. Box V
State Capitol
Juneau, AK 99811

Dear Representative Choquette,

The Bristol Bay Area Health Corporation was given the opportunity to provide input in the draft form of HB 445. In response to your request we would like to be on record in support of this piece of legislation.

Alcohol abuse has been identified by our regional health corporation as the number one community health concern. HB 445 will have the potential for changing the environment in which people drink. The arduous task of identifying possible solutions in an effort to address this identified health concern are supported wholeheartedly by the Bristol Bay Area Health Corporation.

Please feel free to contact Vivian Echavarria, Health Education Director, who would be available to entertain any questions you may have. Her number is 842-9347.

Thank you for your support.

Sincerely,

BRISTOL BAY AREA HEALTH CORPORATION

Christine DeCourtney
Robert J. Clark
Chief Executive Officer

RJC/mm

cc: BBAHC Executive Committee
Christine DeCourtney, Acting C.O.O.
Representative George Jacko
Senator Fred Zharoff
Vivian Echavarria, Health Education

Alcohol education

Not why, but how?

Rep. Dave Choquette has introduced a second bill requiring alcohol vendors throughout the state to take an alcohol server education course.

Such a course already is required in Anchorage, and by all accounts is useful. The Alcoholic Beverage Control Board believes the course helps impress upon bartenders and liquor store employees their responsibilities in serving alcohol. The liquor industry says it gives even experienced bartenders useful tips for telling whether a person has already had too much to drink. And it gives them confidence to know someone will back them up if they refuse service.

Would requiring education outside of Anchorage be too much of a burden and expense for the liquor industry? After all, for servers in town it's easy enough to drive to a class. But what about the rural parts of the state?

Sending a book out with a case of beer won't take the place of four or five hours of classroom lecture and discussion. But Alaska is already used to bridging distances with teleconferences and videotape. We say where there's a will to sell alcohol, there's a way to teach people to sell it responsibly.

ALASKA STATE LEGISLATURE
HOUSE BILL NO. 445

HISTORY IN THE HOUSE

1992
Read first time and referred to:
L&C, FIN

2/5

3/2 L&C RPT CS(L&C) New Title
3 DP ~~0~~ DNP 1 NR ~~0~~ AM
FN 1 OFN Previous FN

3/11 FIN RPT CS(L&C) New Title
5 DP ~~0~~ DNP 10 NR ~~0~~ AM
FN 1 OFN Previous FN

_____ RPT CS() New Title
_____ DP _____ DNP _____ NR _____ AM
_____ FN _____ OFN _____ Previous FN

3/30 Read second time
CS(L&C) Adopted

4/1 Amended
#1

3/30 Advanced

3/30 Read third time; held in 3rd until
next calendar.

4/1 Return to second for specific amendment

4/1 PASSED EFD Same ___ or
Yeas 38 Yeas
Nays 0 Nays
Excused 2 Excused
Absent 0 Absent

_____ Intent adopted

Reconsideration
Reconsideration not taken up

PASSED ON RECON. EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

_____ Intent adopted

4/1 Reported correctly engrossed
Signed by Speaker, to the Senate

James Grant
Chief Clerk of the House

HISTORY IN THE SENATE

1992
4/2 Read first time and referred to:
L&C, JUD, FIN

_____ RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To _____

_____ RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To _____

_____ RPT() CS DP NR DNP AM
New Title Same Title Previous FN
FN OFN To _____

_____ Rules Calendar() CS AM Other
New Title Same Title Previous FN
FN OFN

Read second time

_____ CS Adopted () _____ New Title
Amended _____ Advanced

Read third time

_____ Letter of Intent adopted
_____ Return to second for specific amendment

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reconsideration
Reconsideration not taken up

PASSED EFD Same ___ or
Yeas Yeas
Nays Nays
Excused Excused
Absent Absent

Reported correctly engrossed
Signed by President, to the House

_____ Secretary of the Senate